

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:11-cr-00011-MR-DLH**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID JOSEPH GEARING,

Defendant.

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ORDER

THIS MATTER is before the Court on the Defendant's Petition for Transfer of Firearm and Ammunition [Doc. 41].

The Defendant, through counsel, moves the Court for an Order approving the transfer of the firearm and ammunition that law enforcement seized from the Defendant in relation to the charge in the above-referenced case. The Defendant specifically requests that the subject firearm and ammunition be transferred to his brother, Jim Gearing. The Defendant advises that Jim Gearing has passed the necessary background check for such transfer. The Defendant further represents that the Government does not oppose his request. [Doc. 41].

For the reasons stated in the Defendant's Petition, and for cause shown,

IT IS, THEREFORE, ORDERED that the Defendant's Petition for Transfer of Firearm and Ammunition [Doc. 41] is **GRANTED**, and the proposed transfer of the following firearm and ammunition seized in relation to the charge in the above-referenced case:

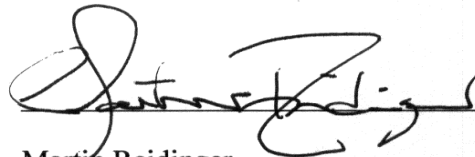
-- Alpine Industries M1 Rifle CAL: 30, SN: 301796

-- 336 rounds Assorted Ammunition CAL: Assorted

is hereby **APPROVED**.

IT IS SO ORDERED.

Signed: October 7, 2016


Martin Reidinger
United States District Judge

